

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOUGLAS ALBERT,
Plaintiff

v.

MICHAEL THOMAS, et al,
Defendants

C.A. No. 05-30008-MAP

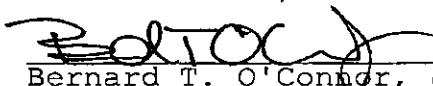
MOTION FOR RELIEF FROM SCHEDULING ORDER

Defendant moves the Court to extend the time within which he may disclose his experts or otherwise move with respect to the expert's report until February 17, 2005, on the ground that the retaining an expert requires additional time and preparation of the expert's report entails investigation which cannot be completed within the prescribed time. Accordingly, Defendant requests relief from the Scheduling Order dated December 2, 2005, specifically as it pertains to the party's designation and disclosure of information regarding Defendant's expert(s). See Further Scheduling Order dated December 2, 2005 Para. 2.

As further reasons the defendant states that initial discussions have been held between the defendant parties on retaining an expert but further discussions regarding funds available to retain the expert are continuing.

Date: 2/3/06

RESPECTFULLY SUBMITTED,
THE DEFENDANT, MICHAEL THOMAS


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I HEREBY CERTIFY THAT A TRUE COPY OF
THE ABOVE DOCUMENT WAS SERVED UPON

(BY MAIL AND BY FAX)
TO THE CLERK OF COURT
AND TO THE ATTORNEY FOR THE
OTHER PARTY BY MAIL AND BY FAX
ON FEBRUARY 3, 2006

2-3-06


Signature

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WILLIAM G. CULLINAN
SHAWN M. O'CONNOR

BERNARD T. O'CONNOR (1917-1993)
THOMAS J. O'CONNOR (1925-1996)
WILLIAM L. COHN (1925-2003)

INDIVIDUAL PRACTITIONERS, NOT IN PARTNERSHIP

FAX COVERSHEET

DATE: 2/3/06 PAGES (WITH COVER): 2

TO: Attn: Liz French FAX: 785-0204

COMPANY: _____

RE: _____

FROM: Atty. Ben O'Connor

Original to be filed later
today.

In the event that you have not received a complete transmission, please call us at (413) 781-5311.

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